

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 ALLAH, SP/C 5% N.O.I.,

9 Petitioner,

10 v.

11 MARSHA J. PECHMAN,

12 Respondent.
13

Case No. C17-421-RAJ

ORDER OF DISMISSAL

14 The Court, after careful consideration of petitioner's 28 U.S.C. § 2254 petition for writ
15 of habeas corpus, the Report and Recommendation of the Honorable James P. Donohue, the
16 governing authorities and the balance of the record, does hereby find and ORDER:

17 (1) The Court ADOPTS the Report and Recommendation.

18 (2) Petitioner's proposed habeas petition, Dkt. 1, is DENIED, petitioner's motion
19 for leave to proceed *in forma pauperis*, Dkt. 4, is DENIED as MOOT, and this
20 case is DISMISSED with prejudice.

21 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
22 United States District Courts, a certificate of appealability is DENIED with respect to the
23 Court's determination that petitioner's habeas petition is a second or successive petition.

24 \\
25 \\
26 \\
ORDER OF DISMISSAL
PAGE - 1

1 (4) The Clerk shall send copies of this Order to the parties and to Judge Donohue.
2

3 DATED this 12th day of May, 2017.
4

5
6 
7

8 The Honorable Richard A. Jones
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26